

REMARKS

This is in response to the Office Action dated February 3, 2009. Claims 1-11 are pending. Claims 1-8, 10-11 stand rejected in the outstanding Office Action. Claim 9 has been allowed. Claim 3 has been amended. Support for the amendment can be found, for example, on p. 10, lines 5-7, Fig. 1A of the instant specification.

The rejection of claim 1 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fitzpatrick et al. (US 5,546,527) in view of Hemenway et al. (US 5,638,505) and Evans et al. (US 7,130,070) is respectfully traversed.

Applicant respectfully submits that the newly cited reference of Evans is not a prior art under 103(a). In particular, the earliest filing date for Evans is January 17, 2001, which is after the May 26, 2000 foreign priority date of the instant application. Since Applicant has filed a certified English translation of the foreign priority application JP 2000-157086 of the instant application on May 22, 2006, the 103(a) rejection via 102(e) using Evans is overcome, see MPEP 2136.05.

For the above reasons, claim 1 is allowable.

The rejection of claim 3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fitzpatrick et al. (US 5,546,527) in view of Gourdol et al. (US 7,216,304) is respectfully traversed.

Amended claim 3 recites “wherein the print conditions in said print icon are displayed on said display picture in a recognizable display form, *without any additional operation needed to be performed by the user to view the predetermined print conditions of the print icon*, and wherein at a time point when a file icon of a file to be printed is superposed on said print icon, a

printing preview of the file icon's associated file to be printed is displayed on said display picture". Fitzpatrick/Gourdol fails to teach or suggest these features.

The Examiner admitted that Fitzpatrick discloses all the limitations of claim 3 except for teaching that the system provides "a printing preview of the file icon's associated file to be printed is displayed on said display picture", and turned to Gourdol for the missing limitation.

Gourdol generally discloses a method for varying the size of a plurality of icon images displayed in a display device based on a user preference value. In the Background section, Gourdol teaches that icons can be manually manipulated by a user to perform tasks easily, and recites the following example (emphasis added):

For example, an icon representing a text document can be selected by a mouse that is manipulated by a user, and be either placed onto another icon representing a word processing application or placed onto an icon of a printer which represents a printing application. Once placed on the printer icon or word processor icon, the document is printed or opened by the word processor, respectively.

The Examiner cited the above section as allegedly teaching "in response to dragging and dropping a file document, a word processing application is opened to view the document thus providing a preview of the file icon that has been dragged".

The section of Gourdol cited by the Examiner states that if an icon of a file is dragged to an icon representing a word processing application (e.g., a WORD application) then the file associated with the icon is opened by the word processor. If, on the other hand, the icon is dragged to an icon representing a printer, then the document is printed. However, the above two actions are exclusive, in other words, Gourdol does not teach that if the icon file is dragged to a printer icon, then the file associated with the dragged icon is opened. This is why Gourdol uses the word respectively at the end of the last sentence to clearly indicate that placement of the icon on a printer icon produces printing and placement of the icon on a word processing icon

produces opening by the word processing program. Hence, Gourdol fails to teach “*a printing preview of the file icon’s associated file to be printed is displayed on said display picture*”, as required by claim 3.

In addition, the icons that are present on the display screen in Fitzpatrick’s system lack any printing information related to the associated printer, see for example, Figs. 2 and 3, where the print icon is a blank icon. Only after the user performs the hovering operation by superimposing the file icon on the print icon a separate window containing printing information appears (Fig. 4). In contrast, as discussed above, in certain example embodiments of the invention, the print icon has a display of print conditions on the icon itself (Fig. 8). No additional operation needs to be performed for the user to view the predetermined printing conditions in the print icon. This is made even more clear with the above amendment of claim 3.

For the above reasons, claim 3 is allowable.

It is respectfully requested that the rejection of claims 2, 4-8 and 10-11, all dependent from independent claims 1 and 3, also be withdrawn.

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Leonidas Boutsikaris/
Leonidas Boutsikaris
Reg. No. 61,377

LB:tlm
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100